

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Online Payment Solutions Inc.,

Plaintiff

-against-

Svenska Handelsbanken AB,

Peter Lars Johansson, Nicholas Nolter,

Eric Nolter aka Aryksin Nolter,

Factor Europe UK Limited, DOES 1-10,

Defendants.

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Civil Action No. 07 CIV 8692 (PKL)

**NOTICE OF MOTION**

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that, upon the attached Declaration of Ulf Köping-Höggård, dated December 18, 2007, the Declaration of Claes Lundblad, dated December 14, 2007, and the exhibits attached thereto, the Declaration of Anthony de Garr Robinson QC, dated December 11, 2007, and the exhibit attached thereto, the Affirmation of Milana Salzman, dated December 21, 2007, and the exhibits attached thereto, and the accompanying Memorandum of Law, Defendant Svenska Handelsbanken AB (“Svenska”) will make a motion before the Hon. Peter K. Leisure, Senior U.S. District Judge, at the U.S. Courthouse, 500 Pearl Street, New York, New York, on a day and time to be set by this Court, for dismissal of the Complaint in its entirety, for *forum non conveniens*, as well as under Federal Rules of Civil Procedure 12(b)(1), (6), and 9(b), on the following grounds:

1. This Court is an inconvenient forum for litigation of Swedish and English-based claims that have no meaningful connection to New York or the United States;
2. Plaintiff has not established standing to sue Svenska;

3. Plaintiff failed to state any claim against Svenska upon which relief can be granted; and

4. Plaintiff failed to plead with the required particularity.

Dated: New York, New York  
December 21, 2007

WHITE & CASE LLP

By: /s/ Owen C. Pell  
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